

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANNINGS,
Plaintiff,
v.
PG&E CORPORATION,
Defendant.

Case No. 23-cv-01735-HSG

ORDER TO SHOW CAUSE

Re: Dkt. No. 13


On August 24, 2023, pro se Appellant Spiro Jannings filed a Motion for Expansion of Time. Dkt. No. 11. The Court granted the motion and Appellant's principal brief was due September 5, 2023. Dkt. No. 13. Plaintiff failed to file his brief.

Federal Rule of Civil Procedure 41(b) provides that where a "plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it." But a defendant need not file a motion in order for a district court to dismiss a case under Rule 41(b), given the Supreme Court's statement that "[t]he authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs[.]" *See Link v. Wabash R. Co.*, 370 U.S. 626, 630-31 (1962).

Accordingly, Plaintiff is ordered TO SHOW CAUSE why the case should not be dismissed for failure to prosecute, given Plaintiff's failure to file his opening brief by the extended September 5, 2023, deadline. Plaintiff shall file a statement of two pages or less by September 18, 2023.

IT IS SO ORDERED.

Dated: 9/11/2023


HAYWOOD S. GILLIAM, JR.
United States District Judge